

Notice of Allowability

Application No.

10/824,424

Examiner

David J. Parsley

Applicant(s)

WILLARD, DOUGLAS

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment dated 3-1-07.
2. ☒ The allowed claim(s) is/are 1,8-12 and 15-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Gerald Gowan on 4-18-07.

The application has been amended as follows:

Claim 1 has been amended to read as follows:

1. A fishing rod support comprising:
 - a) a substantially tubular restriction member comprising a substantially vertical, elongated member having a vertical, longitudinal axis, and a vertical opening from one end of said member, which vertical opening extends substantially along said vertical axis and is configured to receive a rod portion of a fishing rod, which fishing rod comprises an elongated handle section, an elongated rod portion, a reel section, and a reel support portion extending from said rod portion or said handle section to said reel section, and having a rod longitudinal axis extending along said handle section and said rod portion, so that said rod longitudinal axis of said rod portion is substantially perpendicular to said vertical axis of said restriction member and said vertical opening substantially limits rotational movement of said rod portion about said vertical axis; wherein said vertical opening is a substantially tapered opening extending from the upper end of said restriction member and tapering down to a point at a location disposed between the upper and lower ends of the restriction member, said restriction member having at least one guidepost extending perpendicularly from said restriction member; and
 - b) a substantially tubular retaining member, co-axial to, and operatively coupled to the restriction member so that said retaining member slides along said vertical axis of said restriction member, and has a wall section which defines a horizontal opening along the side of said retaining member, said horizontal opening being an opening on one side of said retaining member and disposed at a position between the upper and lower ends of said retaining member, and a slot extending from or near the top of said retaining member to a point between the upper and lower ends of the retaining member, said slot of said retaining member ~~is adapted to engage~~ engages

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the at least one guidepost of said restriction member, and wherein said retaining member is relatively movable between

i) a substantially closed position in which said restriction member

blocks said horizontal opening and prevents access to said vertical

opening through said horizontal opening; and

ii) an open position in which said restriction member does not block said horizontal opening, so that access to said vertical opening through said horizontal opening is available, and wherein when said retaining member is in said closed position, an upward vertical movement of said rod portion of said fishing rod along said vertical axis and in a direction perpendicular to said longitudinal axis of said rod portion, moves said retaining member from said closed position to said open position whereby said rod portion of said fishing rod can be removed from said vertical opening through said horizontal opening and thus removed from said fishing rod support.

Claims 4-5 are cancelled.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: the limitations of "...a substantially tubular restriction member...a rod longitudinal axis extending along said handle section and said rod portion, so that said rod longitudinal axis of said rod portion is substantially perpendicular to said vertical axis of said restriction member and said vertical opening substantially limits rotational movement of said rod portion about said vertical axis; wherein said vertical opening is a substantially tapered opening extending from the upper end of said restriction member and tapering down to a point at a location disposed between the upper and lower ends of the restriction member, said restriction member having at least one guidepost extending perpendicularly from said restriction member...a substantially tubular retaining

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member, co-axial to and operatively coupled to the restriction member so that the retaining member slides along said vertical axis of said restriction member, and has a wall section which defines a horizontal opening being an opening on one side of said retaining member and disposed at a position between the upper and lower ends of said retaining member, and a slot extending from or near the top of said retaining member to a point between the upper and lower ends of the retaining member, said slot of said retaining member engages the at least one guidepost of said restriction member..." in claim 1 are not found in combination in the prior art of record. Further, the functional limitations of "...access to said vertical opening through said horizontal opening is available, and wherein when said retaining member is in said closed position, an upward vertical movement of said rod portion of said fishing rod along said vertical axis and in a direction perpendicular to said longitudinal axis of said rod portion, and in a direction perpendicular to said longitudinal axis of said rod portion, moves said retaining member from said closed position to said open position whereby said rod portion of said fishing rod can be removed from said vertical opening through said horizontal opening and thus removed from said fishing rod support..." in claim 1 are not found in the prior art of record and it is deemed that the devices of the prior art of record are not capable of performing these functional limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Parsley whose telephone number is (571) 272-6890.

The examiner can normally be reached on Monday-Friday from 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


David Parsley
Patent Examiner
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